



## U.S. Department of Justice

*United States Attorney  
Southern District of New York**The Jacob K. Javits Federal Building  
26 Federal Plaza, 37th Floor  
New York, NY 10278*

November 19, 2024

**By ECF**

The Honorable Lorna G. Schofield  
United States District Judge  
Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *United States v. Denzell Funderburk*, 19 CR 686 (LGS) / 24 CR 643 (LGS)**

Dear Judge Schofield,

The Government respectfully writes on behalf of the parties and in response to the Order of the Court dated November 15, 2024 to propose an initial schedule for the above-captioned cases now consolidated before the Court. On Indictment 24 CR 643, the parties propose that the Government disclose any discovery in its possession on or before Friday, December 6, 2024; that the defendant file any pretrial motions on Friday, February 14, 2025, with any responses from the Government on Friday, February 28, 2025, and any reply from the defendant on Friday, March 7, 2025; and that the parties appear before the Court for a status conference on Monday, February 3, 2025 at 12:30 PM, Tuesday, February 4, 2025 at 12:30 PM, or Wednesday, February 5, 2025 at 12:30 PM. With the defendant's consent, the Government further requests respectfully that the Court exclude time under the Speedy Trial Act from November 19, 2024 through the selected date of the status conference pursuant to 18 U.S.C. § 3161(h)(7) on the basis that the interests of the public and the defendant in a speedy trial are outweighed here by the interest of the defendant in being able to receive and review discovery and to consider that discovery vis-à-vis any potential pretrial motions. On Indictment 19 CR 686, the parties propose that the violation of supervised release proceedings proceed with a status conference on the same selected date.

Application Granted. The Government shall produce any discovery in its possession by **December 6, 2024**. Defendant's motion(s) shall be filed by **February 14, 2025**. The Government's response shall be filed by **February 28, 2025**. Defendant's reply shall be filed by **March 7, 2025**. The parties shall appear for a status conference on **March 24, 2025, at 10:30 a.m.** The Court finds that the ends of justice served by excluding the time between today and March 24, 2025, outweigh the best interests of the public and the Defendant in a

speedy trial as provided in 18 U.S.C. § 3161(h)(7)(A) because it will allow the parties time to produce and review discovery and for the Defendant to evaluate whether to file any pretrial motions and to file any such motions. It is hereby ORDERED that the time between today and March 24, 2025, is excluded. The VOSR proceeding in 19 Cr. 686 is adjourned *sine die* pending the resolution of 24 Cr. 643. The Clerk of the Court is directed to terminate the letter motion at docket number 9.

Dated: November 25, 2024.

Respectfully submitted,

DAMIAN WILLIAMS  
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Assistant United States Attorneys  
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LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE